UNITED STATES DISTRICT COURT		* SEP 0 4 2012 **
EASTERN DISTRICT OF NEW YORK	X	BROOKLYN OFFICE
ANDRZEJ JANUS, on behalf of himself and on behalf of all others similarly situated,	; ; ;	11-CV-5788 (ARR)  NOT FOR ELECTRONIC
Plaintiff,	:	OR PRINT PUBLICATION
-against-	:	OPINION & ORDER
REGALIS CONSTRUCTION, INC., and JAN POMIANEK,	:	
Defendants.	: X	

The court has received the Report and Recommendation ("R&R") (Dkt. No. 15) on the instant case, dated July 23, 2012, from the Honorable Victor V. Pohorelsky, United States Magistrate Judge. No objections have been filed, so the court has reviewed the R&R for clear error on the face of the record. See Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord Edwards v. Town of Huntington, No. 05-CV-339, 2007 U.S. Dist. LEXIS 50074, at \*6 (E.D.N.Y. July 11, 2007); McKoy v. Henderson, No. 05 Civ. 1535, 2007 U.S. Dist. LEXIS 15673, at \*1 (S.D.N.Y. March 5, 2007). Having reviewed the record, I find no clear error and hereby adopt the R&R, in its entirety, as the opinion of the court pursuant to 28 U.S.C. § 636(b)(1).

ROSS, United States District Judge:

Accordingly, plaintiff's motion for default judgment (Dkt. No. 14) is granted. The Clerk of Court is directed to enter judgment in favor of plaintiff against both defendants as follows:

- 1. Awarding \$494.00 in unpaid overtime and liquidated damages under the Fair Labor Standards Act, 29 U.S.C. § 201, et seq.;
- 2. \$14,873.75 in unpaid overtime and liquidated damages under the New York Labor Law;

- Prejudgment interest totaling \$4,009.96 through May 31, 2012, plus an 3. additional \$2.38 per diem from June 1, 2012 through the date of judgment;
- \$10,280 in attorney's fees; and 4.
- \$649.52 in costs. 5.

SO ORDERED.

S/Judge Ross

Allyne R. Ross United States District Judge

Dated:

September 4, 2012 Brooklyn, New York

## **MAILING LIST**

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Magistrate Judge Pohorelsky